

REMARKS

Applicants have carefully reviewed the Notice of Noncompliance mailed September 7, 2006. By this Amendment, claims 1, 6, 13, 18-19, 21, 24, 26-28, 30, and 42 are amended, and claims 14-17, 37, 41, and 43 are canceled. For any fees that are deemed necessary following submittal of this Amendment, or any refund that may be due, the undersigned hereby authorizes such fees to be charged or refunds to be credited to our deposit account, Deposit Account No. 061910.

It is noted that Applicants have made the above-identified modifications to the claims solely to advance prosecution of the instant application and to obtain allowance on allowable claims at the earliest possible date. Accordingly, no admission may be inferred from the amendments of claims herein. Applicants expressly reserve the right to pursue the originally filed claims in the future. Additionally, Applicants submit that the Amendments made herein introduce no new matter.

The following sections address both the formal and substantive issues raised by Examiner in the June 7, 2005 Office Action. On the formal side, Applicants address Examiner's rejections of claims 31 and 32 for lack of enablement and of claims 20-32 as being indefinite. On the substantive side, Applicants explain why they believe the claims of the present application are patentable over Schubert.

A. Formal Rejections: Claims 31-32 for Lack of Enablement and Claims 20-32 for Indefiniteness

Applicants respectfully traverse Examiner's rejection of claims 31 and 32 for lack of enablement. Examiner is correct that the first strut is able to rotate about the distal joint. But Examiner's characterization of the first distal joint as "fixed" appears to evidence a

misunderstanding of the inventions of claims 31 and 32. According to claim 1, the first strut is coupled at its proximal portion to the proximal link and at its distal portion to the distal link. Moreover, the first strut is rotatable relative to the proximal link. Thus, as the first strut rotates relative to the proximal link, the distal link follows. And as the first strut rotates in a downward direction relative to the proximal link, the distal link also moves in a downward direction. It follows that the first distal joint moves in a downward direction as the distal link moves in a downward direction. Applicants respectfully submit that the present application does adequately teach the first distal joint moving in a downward direction. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claims 31 and 32 based on a lack of enablement.

Moreover, Applicants respectfully submit that the amendments to claim 1, from which claims 20-30 depend, suffice to overcome any indefiniteness issues that may exist. Examiner asserts that the first strut rotating relative to the cam, a feature recited in each of claims 20-30, lacks antecedent basis. Both “the first strut” and “the cam” find adequate antecedent basis in claim 1. Applicants do not concede that providing antecedent basis for a *relationship* between two components, on top of doing so for the components themselves, is required. But, in the interest of expedient allowance of these claims, Applicants have amended claim 1 to explicitly recite that “the first strut is rotatable about the cam.” Now, the relationship between the first strut and the cam recited in claims 20-30 finds antecedent basis in claim 1. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claims 20-30 based on indefiniteness.

As for the rejection of claims 31 and 32 based on indefiniteness, Applicants respectfully direct Examiner’s attention to the discussion of these claims above. Based on the subject matter set forth in that discussion, Applicants respectfully submit that the movement of the first distal

joint is sufficiently clear. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claims 31 and 32 based on indefiniteness.

B. Applicants' Explanation of Patentability

i. Amended Independent Claim 1

Applicants respectfully submit that none of the claims presented in this application are either anticipated or rendered obvious by Schubert. The June 7, 2005 Office Action rejects an earlier version of independent claim 1. The remaining claims depend from claim 1. The following paragraphs explain why Applicants believe that Schubert does not anticipate or render obvious any of the claims presented in this Application.

Applicants respectfully submit that amended independent claim 1, and the claims that depend therefrom, are patentable over Schubert. Claim 1, as amended, recites a “proximal link comprising a cam” and “a cam follower coupled to the first strut.” In contrast, Schubert does not teach or suggest a proximal link comprising a cam. Furthermore, if Schubert’s component 12 is a cam follower and component 4 is a first strut, as Examiner contends, component 12 is not coupled to component 4. Thus, Schubert teaches neither a “proximal link comprising a cam” nor “a cam follower coupled to the first strut.” Accordingly, because Schubert does not teach such elements, Applicants respectfully submit that Schubert cannot anticipate amended independent claim 1 or any of its dependent claims.

Additionally, Applicants respectfully submit that the distinction discussed in the preceding paragraph is a nonobvious one. In claim 1, the support arm includes a cam that is a part of a link and a cam follower that is coupled to a strut. Assuming, arguendo, that Examiner’s characterizations are accurate, Schubert teaches the opposite—a support arm that includes a cam that is part of the strut and a cam follower that is coupled to the link.

And a support arm according to claim 1 provides several advantages over the support arm of Schubert. For example, locating the cam surface on the proximal link, rather than on the strut, allows for the greatest range of motion and the finest adjustment in the smallest amount of space. Furthermore, a larger cam surface may be desirable for providing a greater range of motion and for allowing more precise control of the support arm's position. Locating the cam surface on the strut, as in Schubert, results in the cam surface itself rotating as the strut rotates. And as the cam surface increases in size and the support arm's range of motion increases, the rotating cam surface takes up more space—space that some applications simply cannot afford to provide. Locating the cam surface on the link, on the other hand, means that the cam surface does not rotate with the strut, thereby saving valuable workspace. Thus, making the cam apart of the link allows for greater range of motion, while maintaining precise control, in applications for which space is a premium. Also, because the support arm of claim 1 has fewer moving parts than Schubert's support arm, the support arm of claim 1 is more reliable and adapted to be frequently adjusted over long periods of time without failing. Accordingly, Applicants respectfully submit that claim 1, and all its dependent claims, are nonobvious over Schubert.

In light of the foregoing, Applicants submit that the present rejections should be withdrawn, and prompt allowance of this application is respectfully requested. If Examiner believes that prosecution of the present application can be materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

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Respectfully submitted,



Matthew J.S. Graham
Registration No. 54,647
FREDRIKSON & BYRON, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425
Telephone: (612) 492-7000
Facsimile: (612) 492-7077
Customer No. 022859

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